

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS
Boston Division**

In re:)	
)	
SUBPOENA TO TESTIFY AT)	
A DEPOSITION IN A CIVIL)	
ACTION ISSUED TO)	Misc. No. 1:17-mc-91107-ADB
THOMAS JEFFERSON HIGH SCHOOL)	
FOR SCIENCE & TECHNOLOGY,)	Related Case: No 1:14-cv-14176-ADB
)	

**JOINT STIPULATION ON NON-PARTY
FAIRFAX COUNTY SCHOOL BOARD’S MOTION TO QUASH SUBPOENA**

WHEREAS, Students for Fair Admission (“SFFA”) served a subpoena on Thomas Jefferson High School of Science and Technology (“TJHSST”) on February 28, 2017;

WHEREAS, the Fairfax County School Board (“FCSB”), on behalf of TJHSST, moved to quash that subpoena on March 23, 2017 in a miscellaneous action in the Eastern District of Virginia;

WHEREAS, on April 18, 2017, the Eastern District of Virginia transferred the miscellaneous action to the District of Massachusetts;

WHEREAS, SFFA and FCSB have reached an agreement to resolve FCSB’s motion to quash following the Court’s May 9, 2017 ruling on the motion to quash filed by Boston Latin School: FCSB agrees to provide the scope of discovery ordered by the Court for Boston Latin School, and SFFA agrees that the custodians FCSB needs to search for responsive documents are limited to the administrators and guidance counselors at TJHSST and that FCSB does not need to include as custodians the teachers or other personnel at TJHSST or personnel at any other FCSB locations; and

WHEREAS, SFFA acknowledges that some of the documents that it has requested might contain personally identifiable information of students and would be subject to protection under the Family Educational Rights and Privacy Act (“FERPA”), and SFFA agrees that FCSB may redact such documents to prevent or minimize the disclosure of “personally identifiable information” of students as defined under FERPA;

WHEREAS, FCSB reserves its right to join in the Stipulated Protective Order Regarding Disclosure and Use of Discovery Materials entered by this Court in Case No. 1:14-cv-14176 and reserves its right to seek additional protections under Federal Rule 26(c) after it has identified those documents, if any, that are responsive to the subpoena; and

NOW THEREFORE, SFFA and FCSB respectfully request that the Court enter the attached Proposed Order.

Respectfully submitted,

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*Counsel for Fairfax County School Board on
behalf of Thomas Jefferson High School for
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to all counsel of record via the CM/ECF system.

s/ Allison M. Foley
Allison M. Foley